

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-169
)	(PHILLIPS/SHIRLEY)
RICHARD EUGENE DAVIDSON,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court, as may be appropriate. This matter is now before the Court to address four *pro se* motions that have been filed by the Defendant.

The motion deadline in this case was originally December 18, 2008. [Doc. 11], and it was later extended to January 8, 2009, [Doc. 21]. The Defendant began proceeding *pro se* in this matter after a hearing held March 26, 2009, and as the Court explained in a later order, “[d]espite the fact that the defendant already had twenty-two pending *pro se* motions, the Court granted the defendant another two weeks in which he could file any additional motions.” [Doc. 56 at 1]. After this extension, the Court found in an Order dated April 10, 2009, that “the circumstances do not warrant yet another extension of the motion-filing deadline.” [Doc. 56 at 1]. Nonetheless, in a final extension, the Court agreed to hear late-filed motions that were pending on May 29, 2009, [Doc. 100], and these were addressed at a hearing held July 7, 2009.

Pursuant to Rule 12 of the Federal Rules of Criminal Procedure, this Court may set a deadline for the parties to make pretrial motions, and it is within the Court's discretion to extend this deadline and grant relief from the waiver that normally attaches to motions not filed within this deadline, where good cause has been shown. Fed. R. Crim. P. 12(c), (e). The Defendant has not shown good cause as to why the motion deadline, should again be extended, and the Court finds that the public's interest in prompt and efficient administration of justice outweighs the Defendant's desire to file additional motions, over eight months after he was initially indicted.

Accordingly, in the absence of good cause shown, the Court declines to extend the motion deadline any further. The Defendant's Motions to Produce Documents [**Docs. 116 and 117**] filed July 16, 2009, "Complaint for Withholding Records/Petition to Determine Confidential Informants Registry Files in Compliance with the U.S. Attorney General's Guidelines Regarding the Use of Confidential Informants De Novo" [**Doc. 118**] filed July 16, 2009, and "Petition for a Franks Hearing" [**Doc. 120**] filed July 30, 2009, are untimely and not well-taken, and they are hereby **DENIED**. The District Court will determine the appropriate disposition for the Defendant's appeal of this Court's decision to detain the Defendant pending trial [Doc. 119].

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge